

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**INDIANAPOLIS****OFFICE MEMORANDUM**

DATE: May 18, 2000

TO: File

FROM: Lynn West

SUBJECT: Fiscal Impact of Concerning the Readoption of Rules in 329 IAC 11

Under IC 4-22-2-28, IDEM has estimated that the economic impact of the proposed new rules will be less than five hundred thousand dollars (\$500,000) on the regulated entities. The economic impact analysis for this rule will not be submitted to the Legislative Services Agency. The analysis of the economic impact on regulated entities prepared for this rule attached.

Attachments

cc: Timothy Method
Bruce Palin
Mike Dalton

Analysis of Economic Impact

New Rules Concerning Submission of Hazardous Waste Analytical Ground Waste Data
Electronically or by Computer Diskette, Clarification of the Recertification of Solid Waste
Operators, and Used Oil Secondary Containment Clarification

Digest of proposed rule

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to rules at 329 IAC 3.1 that would amend the current rule language to require two (2) paper copies and an electronic report of ground water laboratory analytical data, and field parameters. The draft language includes amendments to the rule at 329 IAC 12-7-6 that would amend the current language to allow some flexibility in when the accredited training course for solid waste facility operators must be taken and adjusting the length of time the recertification is valid and amendments that would clarify the rules for secondary containment for used oil containers and aboveground tanks at 329 IAC 13.

Effective date of proposed rule

Thirty (30) days after filing with the Secretary of State. The effective date is estimated to be February 1, 2001.

Requirements of the proposed rule

The rule is clarification of regulations to provide regulatory relief for solid waste land disposal certified operators. This rule provides savings in time and mistakes for the department. Clarification of what is secondary containment.

Regulated entities affected by the proposed rule

- Owners, operators and permittees of hazardous waste treatment, storage, and disposal facilities
- Certified operators at solid waste land disposal facilities
- Owners of used oil tanks and aboveground tanks

Narrative discussion of fiscal impact

Electronic submittal. Hazardous waste treatment, storage and disposal (TSD) facilities would be required to submit ground water laboratory analytical data and field parameters in an electronic format or on computer diskette. This is in addition to the two (2) required paper copies that are now required. This would cost an extra \$10-\$20 per well to be prepared typically by the facility's consultant with the cost passed onto the facility. The laboratory information is digital already but would need to be put in the department's format and the field test results added. There are approximately 600 wells at 41 facilities that would need to submit ground water laboratory analytical data and field parameters in an electronic format or on a computer diskette. This information is submitted twice (2 times) a year. However, the department would be saving time and effort in manually entering the data on the computer system. The average salary of department geologists is \$30 per hour (including benefits) and it is estimated the entering of the information would take departmental geologists approximately 20 minutes or .33 hours. This is approximately \$10 per well. There are 600 wells and the data would need to be entered twice (2 times) a year. This is considered a continuing cost for the seven (7) years of the life of the rule.

Operator recertification. Currently the operator is required to train prior to the expiration of their certification. The rule will allow more flexibility in the recertification. This should reduce the number of times that a certified operator takes and pays for a recertification class. This would, in effect, save one (1) training class every 13 years or .54 training classes over the seven years that is the life of the rule. A certified operator is paid on the average of \$15-\$47 per hour(including benefits). A training class is approximately \$7 to \$25 per hour. It is required that an operator take 4 hours of training for recertification. There are 255 certified solid waste disposal facilities operators. Based on a complete 4 hour training class, a single operator would save 4 hours (\$15-\$47 salary) + 4 hours (\$7-\$25 per hour class costs). This is divided by the .54 time that is a continued savings for the 7 years of the life of the rule and multiplied by the 255 operators currently certified.

Secondary containment. This is a clarification to the rule to specify and outline secondary containment for underground storage tanks and aboveground tanks. Secondary containment is already a requirement of the rule. There is currently a requirement for secondary containment so this clarification does not cost or save the regulated community or the department.

Costs to state and local government entities

There is no additional cost to any state or local governmental entity. State and local governmental entities are not hazardous waste TSDs that have ground water monitoring wells or certified solid waste land disposal operators. There is no cost for the secondary containment amendment to the rule. This rule may involve some savings for state agencies.

Summary of economic impacts

Electronic submittal (cost to facility)	-\$84,000-\$158,000
(savings to state)	+\$84,000
Operator certification (savings to facilities)	+\$10,322-\$26,040
Total estimated savings or cost of the rule	<hr/> +\$10,322 total savings to - \$47,960 total cost